

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

THE TRANSPARENCY PROJECT,

Plaintiff,

vs.

U.S. DEPARTMENT OF JUSTICE,

Defendant

Case No. 4:20-cv-468

ORIGINAL COMPLAINT

The Transparency Project (“Plaintiff”) brings this action against the U.S. Department of Justice (“DOJ”) to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). As grounds therefor, the Plaintiff alleges as follows:

Jurisdiction and Venue

1. This Court has jurisdiction under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper in this district because the Plaintiff is headquartered in Collin County, Texas.

Parties

3. The Plaintiff is a Texas non-profit corporation headquartered in Plano, Texas.
4. Defendant DOJ is a department of the United States Government. It has possession, custody, and control of records to which the Plaintiff seeks access. DOJ is

headquartered at 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001.

Statement of Facts

5. March 13, 2018, the Plaintiff submitted a FOIA request to DOJ via email and facsimile. A true and correct copy of that FOIA request is attached as Exhibit 1 and incorporated herein by reference. The Plaintiff requested the opportunity to view the following:

Investigations, reports, or referrals of alleged, potential, or actual misconduct by any and all United States bankruptcy judges, magistrate judges, district judges, circuit judges, or Supreme Court justices.

DOJ acknowledged receipt of the request and requested clarification, but otherwise has not responded.

Count 1

(Violation of FOIA, 5 U.S.C. § 552)

6. All prior paragraphs are incorporated herein by reference.

7. The Plaintiff is being irreparably harmed by the Defendants' violations of FOIA, and the Plaintiff will continue to be irreparably harmed unless the Defendants are compelled to comply with FOIA.

Request for Relief

8. The Plaintiff respectfully requests that the Court: (1) order the Defendants to conduct a search for any and all records responsive to the Plaintiff's FOIA requests and demonstrate that they employed search methods reasonably likely to lead to the discovery of records responsive to the Plaintiff's FOIA request; (2) order the Defendants to produce,

by a date certain, any and all non-exempt records responsive to the Plaintiff's FOIA requests and a *Vaughn* index of any responsive records withheld under claim of exemption; (3) enjoin the Defendants from continuing to withhold any and all non-exempt records responsive to the Plaintiff's FOIA requests; (4) grant the Plaintiff an award of litigation costs reasonably incurred in this action pursuant to 5 U.S.C. §552(a)(4)(E); and (5) grant the Plaintiff such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ Ty Clevenger

Ty Clevenger

Texas Bar No. 24034380

P.O. Box 20753

Brooklyn, New York 11202-0753

(979) 985-5289

(979) 530-9523 (fax)

tyclevenger@yahoo.com

Counsel for The Transparency Project